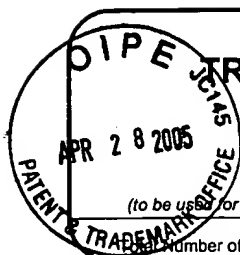


05-02-05

# IFW

PTO/SB/21 (09-04)



(to be used for all correspondence after initial filing)

Number of Pages in This Submission

16

Application Number

09/322,289

Filing Date

May 28, 1999

First Named Inventor

Schenk, Dale B.

Art Unit

1647

Examiner Name

Sharon L. Turner

Attorney Docket Number

15270J-004740US

## ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Supplemental Information

Disclosure Statement (6 pgs.) PTO/SB/08A  
(2 pgs.) PTO/SB/08B (7 pgs.); \* copies of  
cited references 407-414, 418-430, 433-  
439, 441, 443, 447-450, 454-509, 517-542,  
545-547, 549-561, 564-569, 571 and 579.

Certified Copy of Priority  
Document(s)Reply to Missing Parts/ Incomplete  
ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

Return postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit  
Account 20-1430.

\* Not included in "Total Number of Pages In This Submission"

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Rosemarie L. Celli

Printed name

Rosemarie L. Celli

Date

April 28, 2005

Reg. No.

42,397

## CERTIFICATE OF TRANSMISSION/MAILING

Express Mail Label: EV 529 870 126 US

I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date April 28, 2005 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Chris Duan

Typed or printed name

CHRIS DUAN

Date

4/28/05

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**

APR 28 2005

**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

AMOUNT OF PAYMENT (\$180.00)

**Complete if Known**

Application Number	09/322,289
Filing Date	May 28, 1999
First Named Inventor	Schenk
Examiner Name	Turner, S. L.
Art Unit	1647
Attorney Docket No.	15270j-004740US

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038
**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity	
	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
-20 or HP =	x	\$	= \$0			
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
-3 or HP =	x	\$	= \$0			
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement (after office action)

Fees Paid (\$)

180.00

**SUBMITTED BY**

Signature	<i>Rosemarie L. Celli</i>	Registration No. (Attorney/Agent) 42,397	Telephone (650) 326-2400
Name (Print/Type)	Rosemarie L. Celli		Date April 28, 2005

"Express Mail" Label No. EV 529 870 126 US

Date of Deposit April 28, 2005

**PATENT**

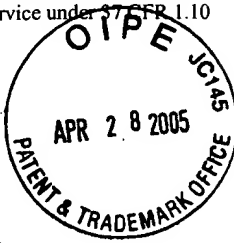
Attorney Docket No.: 15270J-004740US

Client Reference No.: 209US-CIP5

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: Chris Huan



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Dale B. Schenk

Application No.: 09/322,289

Filed: May 28, 1999

For: PREVENTION AND TREATMENT  
OF AMYLOIDOGENIC DISEASE

Examiner: Sharon L. Turner

Art Unit: 1647

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of references 407-414, 418-430, 433-439, 441, 443, 447-450, 454-509, 517-542, 545-547, 549-561, 564-569, 571 and 579 are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant also cites commonly owned copending applications directed to related subject matter:

05/03/2005 HTECKLU1 00000007 201430 09322289

01 FC:1806

180.00 DA

09/201,430 filed 11/30/98 issued as U.S. 6,787,523 on 09/07/04;  
09/497,553 filed 02/03/00;  
09/724,477 filed 11/28/00 issued as U.S. 6,787,143 on 09/07/04;  
09/723,927 filed 11/28/00 issued as U.S. 6,787,138 on 09/07/04;  
09/723,762 filed 11/28/00 issued as U.S. 6,787,144 on 09/07/04;  
09/724,102 filed 11/28/00 issued as U.S. 6,787,139 on 09/07/04;  
09/724,489 filed 11/28/00 issued as U.S. 6,787,140 on 09/07/04;  
10/816,022 filed 03/31/04 issued as U.S. 6,866,850 on 03/15/05;  
10/816,529 filed 03/31/04 issued as U.S. 6,818,218 on 11/16/04;  
10/815,391 filed 03/31/04 issued as U.S. 6,866,849 on 03/15/05;  
10/934,818 filed 09/02/04;  
10/934,609 filed 09/02/04 issue fee paid 01/24/05;  
10/933,559 filed 09/02/04 issue fee paid 01/24/05;  
10/934,819 filed 09/02/04;  
10/815,353 filed 03/31/04 issued as U.S. 6,808,712 on 10/26/04;  
10/816,380 filed 03/31/04 issue fee paid 01/24/05;  
10/815,404 filed 03/31/04 issue fee paid 11/12/04;  
09/322,289 filed 05/28/99;  
09/723,713 filed 11/27/00;  
09/723,760 filed 11/27/00;  
09/724,319 filed 11/27/00;  
09/723,384 filed 11/27/00 issued as U.S. 6,710,226 on 03/23/04;  
09/724,495 filed 11/27/00;  
10/788,666 filed 02/27/04;  
10/429,216 filed 05/30/03;  
10/828,548 filed 04/19/04;  
10/923,471 filed 08/20/04;  
10/923,474 filed 08/20/04;  
10/928,926 filed 08/27/04;  
10/923,605 filed 08/20/04;

10/923,267 filed 08/20/04;  
10/923,469 filed 08/20/04;  
09/580,015 filed 05/26/00;  
09/724,940 filed 11/28/00 issue fee paid 11/12/04;  
09/724,961 filed 11/28/00 issued as U.S. 6,743,427 on 06/01/04;  
09/580,018 filed 05/26/00 issued as U.S. 6,761,888 on 07/13/04;  
09/724,552 filed 11/28/00 issued as U.S. 6,750,324 on 06/15/04;  
09/723,544 filed 11/28/00;  
09/724,273 filed 11/28/00;  
09/724,551 filed 11/28/00 issued as U.S. 6,787,637 on 09/07/04;  
09/724,288 filed 11/28/00;  
10/777,792 filed 02/11/04;  
10/890,024 filed 04/12/04;  
10/889,999 filed 04/12/04;  
10/890,000 filed 07/12/04;  
10/890,070 filed 07/12/04;  
10/890,071 filed 07/12/04;  
09/580,019 filed 05/26/00;  
09/723,765 filed 11/28/00;  
09/724,291 filed 11/28/00;  
10/822,968 filed 04/12/04;  
09/724,929 filed 11/28/00;  
09/724,567 filed 11/28/00 issue fee paid 05/24/04;  
09/724,575 filed 11/28/00;  
09/724,953 filed 11/28/00 issued as U.S. 6,875,434 on 04/05/05;  
09/724,570 filed 11/28/00 issue fee paid 02/10/05;  
09/585,656 filed 06/01/00;  
09/723,766 filed 11/27/00;  
09/723,725 filed 11/27/00;  
09/579,690 filed 05/26/00;

09/979,701 filed 03/13/01 (U.S. Nat'l Stage of PCT/US00/14810 filed 05/26/00);  
09/979,952 filed 04/09/02 (U.S. Nat'l Stage of PCT/US00/15239 filed 06/01/00);  
issue fee paid 01/28/05; and,

09/980,568 filed 03/12/02 (U.S. Nat'l Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related  
subject matter but subject to different assignment:

10/010,942 filed 12/06/01;  
10/789,273 filed 02/27/04;  
10/232,030 filed 08/30/02;  
10/010,942 filed 12/06/01;  
10/388,389 filed 03/12/03;  
10/703,713 filed 11/07/03;  
10/704,070 filed 11/07/03;  
10/388,214 filed 03/12/03;  
10/858,855 filed 06/01/04;  
10/771,174 filed 02/04/04.  
60/622,525 filed 10/26/04;  
60/636,684 filed 12/15/04;  
60/636,842 filed 12/15/04;  
60/637,253 filed 12/16/04;  
60/636,810 filed 12/15/04;  
60/637,138 filed 12/16/04;  
60/636,776 filed 12/15/04;  
60/636,687 filed 12/15/04.

Applicant further cites the following commonly owned abandoned applications  
directed to related subject matter:

60/067,740 filed 12/02/97;  
60/080,970 filed 04/07/98;  
60/067,219 filed 12/03/97;

60/079,697 filed 03/27/98;  
09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00;  
09/724,929 filed 11/28/00;  
60/137,010 filed 06/01/99;  
60/251,892 filed 12/06/00;  
60/137,047 filed 06/01/99;  
60/136,655 filed 05/28/99; and  
09/723,544 filed 11/28/00.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00;  
60/474,654 filed 05/30/03;  
60/530,481 filed 12/17/03;  
60/444,150 filed 02/01/03; and,  
60/363,751 filed 03/12/02.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00; and,  
09/724,929 filed 11/28/00.

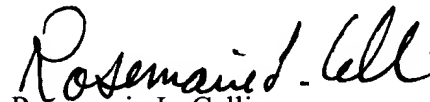
Applicant understands the Examiner can access papers from the prosecution of the cited cases electronically via PALM. However, if the Examiner has difficulty obtaining papers from that source he or she is invited to call the undersigned who will be happy to supply them.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Rosemarie L. Celli  
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
RLC:crf





PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 9

**Complete if Known**

Application Number	09/322,289
Filing Date	May 28, 1999
First Named Inventor	Schenk, D. B.
Art Unit	1647
Examiner Name	Turner, S. L.
Attorney Docket Number	15270J-004740US

**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	578	6,875,434	04-05-2005	Schenk	
	577	6,866,849	03-15-2005	Schenk	
	575	6,866,850	03-15-2005	Schenk	
	576	6,818,218	11-16-2004	Schenk	
	563	6,787,637	09-07-2004	Schenk et al.	
	562	6,750,324	06-15-2004	Schenk et al.	
	442	6,713,450 B2	03-30-2004	Frangione et al.	
	444	2004/0043418 A1	03-04-2004	Holtzman et al.	
	415	2003/0166558 A1	09-04-2003	Frangione et al.	
	431	2003/0165496 A1	09-04-2003	Basi et al.	
	544	2003/0147882 A1	08-07-2003	Solomon et al.	
	432	6,562,341 B2	05-13-2003	Prusiner et al.	
	440	2003/0068316 A1	04-10-2003	Klein et al.	
	453	2002/0058267 A1	05-16-2002	Ozenberger et al.	
	511	6,331,440	12-18-2001	Nordstedt, et al.	
	416	6,303,567 B1	10-16-2001	Findeis et al.	
	516	6,261,569	07-17-2001	Comis et al.	
	452	6,218,506 B1	04-17-2001	Krafft et al.	
	510	6,022,859	02-08-2000	Kiessling, et al.	
	417	5,985,242	11-16-1999	Findeis et al.	
	512	5,891,991	04-06-1999	Wasco et al.	
	445	5,854,215	12-29-1998	Findeis et al.	
	446	5,817,626	10-06-1998	Findeis et al.	
	451	5,766,846	06-16-1998	Schlossmacher et al.	
	515	5,652,334	07-29-1997	Roberts	
	513	5,514,548	05-07-1996	Krebber et al.	
	514	5,470,951	11-28-1995	Roberts	
	543	5,278,049	01-11-1994	Baker et al.	
	548	5,096,706	03-17-1992	Flint	
	570	4,912,206	03-27-1990	Goldgaber et al.	

Examiner  
SignatureDate  
Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

60479202 v1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 9

**Complete if Known**

Application Number	09/322,289
Filing Date	May 28, 1999
First Named Inventor	Schenk, D. B.
Art Unit	1647
Examiner Name	Turner, S. L.
Attorney Docket Number	15270J-004740US

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	533	AU	199870091		07-01-1999			
	523	EP	752 886	B1	01-28-1998			
	579	WO	04/031400	A2	04-15-2004			
	571	WO	04/13172	A2, A3	02-12-2004			
	441	WO	03/104437	A2	12-18-2003			
	443	WO	03/074081	A1	09-12-2003			
	447	WO	03/051374	A2	06-26-2003			
	433	WO	03/020212	A2	03-13-2003			
	458	WO	02/060481	A1	08-08-2002			
	457	WO	02/046237	A1	06-13-2002			
	557	WO	02/88307	A2	11-07-2002			
	556	WO	02/88306	A2	11-07-2002			
	456	WO	02/021141	A2	03-14-2002			
	450	WO	01/18169	A3	03-15-2001			
	455	WO	01/10900	A2	02-15-2001			
	529	WO	00/68263	A2	11-16-2000			
	519	WO	00/26238	A2	05-11-2000			
	555	WO	00/23082	A1	04-27-2000			
	522	WO	00/20027	A2	04-13-2000			
	526	WO	99/06587	A2	02-11-1999			
	454	WO	98/33815	A1	08-06-1998			
	520	WO	98/22120	A1	05-28-1998			
	530	WO	98/08868	A1	03-05-1998			
	521	WO	98/05350	A1	02-12-1998			
	525	WO	98/02462	A1	01-22-1998			
	527	WO	97/32017	A1	09-04-1997			
	528	WO	97/08320	A1	03-06-1997			
	532	WO	96/37621	A2	11-28-1996			
	518	WO	95/23166	A1	08-31-1995			
	531	WO	95/08999	A1	04-06-1995			
	524	WO	95/05393	A2	02-23-1995			
	517	WO	94/05311	A1	03-17-1994			

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

60479202 v1

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 3 of 9

**Complete if Known**

Application Number	09/322,289
Filing Date	May 28, 1999
First Named Inventor	Schenk, D. B.
Art Unit	1647
Examiner Name	Turner, S. L.
Attorney Docket Number	15270J-004740US

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	448	ANDREW et al., <i>Current Protocols in Immunology</i> , 2.7.1-2.9.8, John Wiley & Sons, Inc. (1997).	
	484	ARENDIASH et al., "Behavioral assessment of Alzheimer's transgenic mice following long-term A $\beta$ vaccination: Task specificity and correlations between A $\beta$ deposition and spatial memory," <i>DNA and Cell Biology</i> , 20(11):737-744 (2001).	
	485	BACSKAI et al., "Imaging of amyloid- $\beta$ deposits in brains of living mice permits direct observation of clearance of plaques with immunotherapy," <i>Nature Medicine</i> , 7(3):369-372 (2001).	
	504	BALBACH et al., "Amyloid fibril formation by A $\beta$ <sub>18-22</sub> , a seven-residue fragment of the Alzheimer's $\beta$ -amyloid peptide, and structural characterization by solid state NMR," <i>Biochemistry</i> , 39:13748-13759 (2000).	
	550	BARD et al., "Epitope and isotype specificities of antibodies to $\beta$ -amyloid peptide for protection against Alzheimer's disease-like neuropathology," <i>PNAS</i> , 100(4):2023-2028 (2003).	
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				Filing Date	May 28, 1999
				First Named Inventor	Schenk, D. B.
				Art Unit	1647
				Examiner Name	Turner, S. L.
Sheet	4	of	9	Attorney Docket Number	15270J-004740US

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